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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

AMERICAN WILD HORSE PRESERVATION)	
CAMPAIGN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 3:13-00441
)	
TOM VILSACK, Secretary)	
Department of Agriculture, et al.,)	
)	
Defendants.)	

**PLAINTIFFS' MOTION FOR EXPEDITED CONSIDERATION OF A MOTION
FOR A TEMPORARY RESTRAINING ORDER TO HALT THE SALE OF WILD
HORSES FOR SLAUGHTER AND SUPPORTING MEMORANDUM**

Pursuant to Local Rule 6-1 Plaintiffs hereby move for expedited consideration of their motion for a temporary restraining order which is being filed contemporaneously with this motion. The requested expedition is needed because, as explained in more detail in the memorandum in support of the motion for a temporary restraining order, *the auction of wild*

horses that Plaintiffs seek to halt is scheduled to begin on Saturday morning, August 17, 2013.

Accordingly, Plaintiffs need the Court to rule on their request for an injunction before that time in order to maintain the status quo and preserve their ability to protect the wild horses at issue in this case from being sold for slaughter.

Plaintiffs have moved forward with all due diligence to prepare the Complaint and temporary restraining order papers in this matter as quickly as possible, based on as much information as they were able to obtain in a very short period of time. They were first informed on August 11, 2013 by the Defendant Forest Service that the Roundup of horses at issue – the Fort McDermitt Roundup – had begun on or about August 10, even though the Forest Service had informed Plaintiffs on August 9 that the Roundup had been indefinitely postponed after Plaintiffs’ counsel sent a letter to the Forest Service the day before complaining that the Roundup could violate both the Wild Free-Roaming Horses and Burros Act (“Wild Horse Act”), 16 U.S.C. § 1331 *et seq.*, and the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* As soon as Plaintiffs discovered that in fact hundreds of horses had been rounded up, *including horses that could be wild horses that must be protected under the Wild Horse Act*, they moved as expeditiously as possible to secure counsel and prepare their papers in this matter.

On August 14, Plaintiffs learned that, in fact, a total of 417 horses have been rounded up and removed from the range in Nevada, including from both tribal lands of the Fort McDermitt Paiute and Shoshone Tribe, as well as Forest Service lands. They also learned that all 417 horses have been sent to the auction facility – the Fallon Livestock Exchange – in Fallon, Nevada, and that all of these horses are being offered for sale, and may be purchased by private buyers who, according to the Forest Service itself, may sell the horses for slaughter. As further explained in

Plaintiffs' memorandum in support of their motion for a temporary restraining order, *there are myriad reasons to believe that some of the rounded up horses are wild horses protected under the Wild Horse Act.*

Plaintiffs' counsel have already sent counsel for Defendants by electronic mail copies of the Verified Complaint in this action, this motion for expedited consideration, the motion for a temporary restraining order, the supporting memorandum, all Exhibits, and the proposed order.

CONCLUSION

For all of the foregoing reasons, Plaintiffs respectfully request that the Court grant their request for expedited consideration of their motion for a temporary restraining order.

Respectfully submitted,

_____/s/_____
Katherine A. Meyer
(D.C. Bar No. 244301)
(Motion for Pro Hac Vice pending)
William S. Eubanks II
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